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I hereby certify that this correspondence is being deposited with the United States Postal Service, "Express Mail Post Office To Addressee" service, Express Mail label no. **EV 325 438 382 US**, addressed to USPTO, Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 21, 2005.

By: 

Printed: Nadine Tono

Amy Alwine

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Alza Corporation

Inventor(s): Martin et al.

Application No.: 10/616,094

Filed: July 8, 2003

Title: THERAPEUTIC LIPOSOME  
COMPOSITION AND METHOD

Group Art Unit: 1636

Examiner:  
KATCHEVES, Konstantina T.

Attorney Docket No.:  
**SQ00151USCON2**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Communication Under 37 C.F.R. § 1.28 (c)**

Sir:

Status as a small entity was established in good faith, and fees were paid as a small entity in good faith, however, status as a small entity was established in error. Compliant with 37 C.F.R. § 1.28(c)(1), this paper is limited to the deficiency payment for the above-identified application only.

Pursuant to 37 C.F.R. § 1.28(c)(1)(i) and (ii), the itemized deficiency payment is as follows:

**Calculation and Itemization of Deficiency**

Type of Fee Erroneously Paid as Small Entity	Current Fee for Non- Small Entity	Small-Entity Fee Actually Paid	Deficiency Owed
Filing Fee	\$790.00	\$395.00	\$395.00
<b>TOTAL OWED</b>			<b>\$395.00</b>

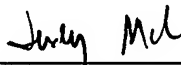
Adjustment date: 04/27/2005 RMEBRAHT  
07/11/2003 HMARZII 00000050 100750 10616094  
01 FC:2001 375.00 CR

04/27/2005 RMEBRAHT 00000095 100750 10616094  
01 FC:1001 790.00 DA

Enclosed herewith is a fee transmittal authorizing the Commissioner to charge the total amount owed to Deposit Account No. 10-0750.

Respectfully submitted,

Date: April 21, 2005

  
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Judy M. Mohr  
Registration No. 38,563

Correspondence Address:  
Customer No. 27777